

**COURT OF APPEAL  
STATE OF CALIFORNIA  
THIRD APPELLATE DISTRICT**

**Court Minutes**

**August 23, 2010**

At 9:30 a.m., the court met at 621 Capitol Mall, 10th Floor to begin its court calendar session. Present were Raye, Associate Justice; Robie, Associate Justice; Butz, Associate Justice; and Horner, bailiff.

**C059794      In re the Marriage of CHARLES and PATRICIA BARFIELD; BARFILED v. BARFIELD**

Cause called. Elizabeth Niemi argued for appellant. Christie B. Mitchell argued for respondent. Cause submitted.

At 9:53 a.m., the court recessed. At 9:53 a.m., the court reconvened.

**C061925      TAPIA et al. v. DRESDEN et al.**

Cause called. Kevin Lancaster argued for appellant. George P. Eshoo argued for respondent. Cause submitted.

At 10:21 a.m., the court recessed. At 10:21 a.m., the court reconvened with Hull, Associate Justice; Robie, Associate Justice; and Butz, Associate Justice.

**C057198      WALNUT MANOR ASSOCIATES v. STRENG KEYS**

Cause called. Gary S. Garfinkle argued for appellant. Jay-Allen Eisen argued for respondent. Cause submitted.

At 10:48 a.m., the court recessed. At 10:48 a.m., the court reconvened.

**C058463      THE PEOPLE v. O'NEIL**

Cause called. Gordon Brownell, court appointed counsel, argued for appellant. Larenda Delaini, Deputy Attorney General, argued for respondent. Cause submitted.

At 11:10 a.m., the court recessed. At 2:00 p.m., the court reconvened with Blease, Associate Justice; Hull, Associate Justice; and Cantil-Sakauye, Associate Justice.

**C061972      BROWN et al. v. SHASTA UNION HIGH SCHOOL DISTRICT et al.**

Cause called. John P. Kelley argued for appellant. Michael T. Risher argued and Marley Degner appeared only for respondent. Cause submitted.

At 2:28 p.m., the court recessed. At 2:31 p.m., the court reconvened with Scotland, Presiding Justice; Robie, Associate Justice; and Cantil-Sakauye, Associate Justice.

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**August 23, 2010, Continued**

**C063087      In re H.S. et al; SACRAMENTO COUNTY DEPARTMENT OF HEALTH AND HUMAN SERVICES v. C.S.**

Cause called. Frank E. Dougherty argued for appellant. Michelle Ben-Hur, Deputy County Counsel, argued for respondent. Cause submitted.

At 3:00 p.m., the court recessed. At 3:03 p.m., the court reconvened with Scotland, Presiding Justice; Butz, Associate Justice; and Cantil-Sakauye, Associate Justice.

**C063928      In re J.M.; NEVADA COUNTY HUMAN SERVICES v. L.M.**

Cause called. Leslie A. Barry, court appointed counsel, argued for appellant. Scott McCleran, Deputy County Counsel, argued for respondent. Cause submitted.

At 3:31 p.m., the court recessed. At 3:32 p.m., the court reconvened with Hull, Associate Justice; Robie, Associate Justice; and Butz, Associate Justice.

**C061849      ARRIAGA v. COUNTY OF SAN JOAQUIN**

Cause called. Richard J. Reilly argued for appellant. Corinne K. Reynolds argued for respondent. Cause submitted.

At 3:57 p.m., the court recessed. At 3:59 p.m., the court reconvened with Scotland, Presiding Justice; Robie, Associate Justice; and Butz, Associate Justice.

**C061738      CITY OF SACRAMENTO v. BELL**

Cause called. Larry E. Bell argued in pro. per. for appellant. Michael A. Fry, Deputy City Attorney, argued for respondent. Cause submitted.

At 4:14 p.m., the court recessed until 9:30 a.m., Monday, September 20, 2010.

**C061019      WORLDMARK, THE CLUB v. WYNDHAM      (Certified For Publication)  
RESORT DEVELOPMENT CORPORATION;  
MILLER; WIXON et al.**

The trial court's order is modified... In all other respects the judgment (order) is affirmed.

Costs are awarded to Robin Miller and intervenors.

BLEASE, Acting P.J.

We Concur: Robie, J.

Cantil-Sakauye, J.

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**August 23, 2010, Continued**

**C064304      In re JESSE C., JR., et al.; SHASTA COUNTY DEPARTMENT OF SOCIAL SERVICES v. JESSE C., SR.      (Not For Publication)**

The judgment (orders terminating parental rights and implementing a permanent plan of adoption) is affirmed.

NICHOLSON, Acting P.J.

We Concur: Robie, J.

Cantil-Sakauye, J.

**August 24, 2010**

**C060392      THE PEOPLE v. WILLIAM ELEFATE McELROY      (Not For Publication)**

The judgment is affirmed.

BUTZ, J.

We Concur: Raye, Acting P.J.

Cantil-Sakauye, J.

**C061980      THE PEOPLE v. RONALD DEAN JEHA      (Certified For Publication)**

The judgment is affirmed.

SIMS, Acting P.J.

We Concur: Raye, J.

Cantil-Sakauye, J.

**C062423      THE PEOPLE v. GABRIEL GARCIA      (Not For Publication)**

The judgment is affirmed.

BUTZ, J.

We Concur: Scotland, P.J.

Cantil-Sakauye, J.

**C062450      THE PEOPLE v. JAMES HAROLD NJIRICH      (Not For Publication)**

The judgment, as modified, is affirmed. The trial court is directed to prepare and forward to the Department of Corrections and Rehabilitation a new abstract of judgment.

ROBIE, J.

We Concur: Hull, Acting P.J.

Butz, J.

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**August 24, 2010, Continued**

- C063028      THE PEOPLE v.      (Not For Publication)**  
**HOSAM KADDOURA**  
The judgment is affirmed.  
BUTZ, J.  
We Concur: Hull, Acting P.J.  
Cantil-Sakauye, J.
- C064079      THE PEOPLE v.      (Not For Publication)**  
**HANSEL ELWOOD SMITH, JR.**  
The judgment is affirmed.  
CANTIL-SAKAUYE, J.  
We Concur: Hull, Acting P.J.  
Butz, J.
- C063541      NORLUND v. THE SUPERIOR COURT      (Not For Publication)**  
**OF BUTTE COUNTY; SOHNREY**  
The petition for a peremptory writ of mandate and prohibition is denied.  
Having served their purposes, the alternative writ of mandate and prohibition is  
discharged and the stay vacated. The parties will bear their own costs in this writ  
proceeding.  
(Cal. Rules of Court, rule 8.493 (a)(1)(B).)  
NICHOLSON, Acting P.J.  
We Concur: Hull, J.  
Robie, J.
- C059236      KING v. WILLMETT      (Certified For Partial Publication)**  
**THE COURT:**  
It is ordered that the separate, dissenting opinion filed in this case on  
August 9, 2010, be modified...  
These modifications do not effect a change the judgment.  
HULL, J.

**August 25, 2010**

- C059402      THE PEOPLE v.      (Not For Publication)**  
**RONALD WILSON HARPE**  
The judgment is affirmed.  
ROBIE, J.  
We Concur: Nicholson, Acting P.J.  
Butz, J.

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**August 25, 2010, Continued**

- C064160      THE PEOPLE v.      (Not For Publication)**  
**GARY GRANT HAMPTON, JR.**  
The judgment is affirmed.  
ROBIE, J.  
We Concur: Raye, Acting P.J.  
Butz, J.
- C064536      THE PEOPLE v.      (Not For Publication)**  
**THOMAS CEDRIC HARRIS**  
The judgment is affirmed.  
ROBIE, J.  
We Concur: Raye, Acting P.J.  
Butz, J.
- C061019      WORLDMARK, THE CLUB v.      (Certified For Publication)**  
**WYNDHAM RESORT DEVELOPMENT**  
**CORPORATION; MILLER; WIXON et al.**  
BY THE COURT:  
The opinion of this court filed August 23, 2010, in the above entitled case  
is modified...  
As modified, this does not effect a change in the judgment.  
FOR THE COURT:  
BLEASE, Acting P.J.  
Robie, J.  
Cantil-Sakauye, J.
- C062573      In re L.S. et al.; SACRAMENTO COUNTY DEPARTMENT OF HEALTH AND**  
**HUMAN SERVICES v. S.C.**
- C062892      In re L.S. et al.; SACRAMENTO COUNTY DEPARTMENT OF HEALTH AND**  
**HUMAN SERVICES v. S.C. et al.**  
BY THE COURT:  
Appellant S.C.'s request to publish opinion filed on July 26, 2010, is  
denied.  
HULL, Acting P.J.

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**August 26, 2010**

- C061790      THE PEOPLE v. VINCENT EDWARDS      (Not For Publication)**  
The judgment is modified... The trial court shall send a certified copy of  
the amended abstract to the Department of Corrections and Rehabilitation.  
RAYE, J.  
We Concur:    Sims, Acting P.J.  
                 Cantil-Sakauye, J.
- C062089      THE PEOPLE v.      (Not For Publication)**  
**ESTRELLA LUZ MACIAS**  
The judgment is affirmed.  
BUTZ, J.  
We Concur:    Sims, Acting P.J.  
                 Robie, J.
- C064356      THE PEOPLE v. JAMES MORENO      (Not For Publication)**  
The judgment is affirmed.  
CANTIL-SAKAUYE, J.  
We Concur:    Hull, Acting P.J.  
                 Butz, J.

**August 27, 2010**

- C063070      THE PEOPLE v.      (Not For Publication)**  
**RAYMOND MICHAEL PEREZ**  
The appeal is dismissed.  
CANTIL-SAKAUYE, J.  
We Concur:    Nicholson, Acting P.J.  
                 Raye, J.
- C063352      THE PEOPLE v.      (Not For Publication)**  
**RONNIE MITCHELL**  
The judgment is affirmed.  
SCOTLAND, P.J.  
We Concur:    Sims, J.  
                 Hull, J.

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**August 27, 2010, Continued**

**C060407      FIRST RESPONDER EMERGENCY      (Certified For Partial Publication)  
MEDICAL SERVICES, INC., et al. v.  
NORTHERN CALIFORNIA EMERGENCY  
MEDICAL SERVICES, INC., et al;  
PRIORITY ONE MEDICAL TRANSPORT,  
INC.  
COUNTY OF BUTTE v. CALIFORNIA  
EMERGENCY MEDICAL SERVICES  
AUTHORITY, INC.**

                    The judgment is affirmed.  
                                    SCOTLAND, P.J.

We Concur:    Nicholson, J.  
                                    Raye, J.